

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

November 6, 1980
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mullen, Snell, Mayor Pro Tem Trevino

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Invocation was given by Reverend James Farris, First Methodist Church.

THEFT AND VANDALISM PREVENTION WEEK

Mayor McClellan read a proclamation designating the week of November 9-16, 1980 as Theft and Vandalism Prevention Week, sponsored by the Greater Austin Builders Women's Auxiliary. Ms. Margaret Gilbreath, President; Mrs. Willine Pars, 2nd Vice-President; and Kay Lee Cox, Education Chairman, expressed their thanks and appreciation for the proclamation.

KIWANIS-KEY CLUB WEEK

Kiwanis-Key Club Week will be observed November 9-15, 1980, according to a proclamation read by the Mayor. Members of the high school service organization who were in the Council Chamber to accept the proclamation were: Susan Rawls, David May, and Bill Teeter, from Johnston High School; and Joan Ternus, Graham Williams, Tere O'Connell, and Larry Carrier of Anderson High School.

RESOLUTION FOR HOLY CROSS
HOSPITAL

Mayor McClellan and all members of the Council signed a resolution, which was read by Councilmember Snell, observing the 40th Anniversary of the Holy Cross Hospital. Keith Reed, Jr., Holy Cross Administrator; Sister Venard Moran, Sister Superior of Holy Cross, and Sister Florentine were in the Council Chamber to receive the Resolution with their thanks and appreciation.

YOUTH APPRECIATION WEEK

Joe Nanus, member of the University Optimist Club and Lt. Governor of Zone 1, was in the Council Chamber to receive a proclamation, read by the Mayor, designating the week of November 9-15 as Youth Appreciation Week. He thanked the Mayor and Councilmembers for the proclamation.

VETERAN'S DAY

Val Allen, General Chairman, Veteran's Day Committee for 1980; Jim Summers, Commander VFW Post 8925; Bill Treadaway, Chairman, Veteran's Day Memorial Service; Jerry Houser, Chairman VIP Operations; and Gabriel Tamayo, Parade Chairman, accepted with thanks and appreciation the proclamation read by Mayor McClellan designating November 11, 1980 as Veteran's Day.

MINUTES APPROVED

Councilmember Trevino moved that the Council approve the Minutes of the Meeting for October 30, 1980 and Special Meeting of September 22, 1980. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Mullen, Snell, Mayor Pro
Tem Trevino
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

LEASE EXTENSION AGREEMENT

Councilmember Mullen moved that the Council adopt a resolution authorizing the execution of a Lease Extension Agreement with Austin Civic Ballet to extend the existing lease to December 12, 1982. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

PARKING FACILITY

Councilmember Mullen moved that the Council adopt a resolution authorizing a two-year lease for property at northeast corner of 9th Street and Lavaca for use as a parking facility for citizens - customers at an annual cost of \$26,400 (\$2,200/month). The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Mr. Davidson, City Manager, explained that this will be for 56 parking spaces. If, at the end of three months, the City finds it does not need this many spaces, there are businesses which will sublease the spaces. Councilmember Mullen asked how many people will use these daily. Mr. Davidson said there are 700 people daily who go into Customer Service and Utility Service offices, and 450 Tax Office customers per day.

RELEASE OF EASEMENTS

Councilmember Mullen moved that the Council adopt a resolution to approve the release of the following Easement:

2.5' of a 45.0' Drainage Easement in Lot 32, Block L, Yarrabee Bend Section IV, 7307 Onion Creek Drive. (Requested by Bill McCleskey for Haskell Griffin and Associates)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution to approve the release of the following Easement:

A portion of a 7.5' Public Utility Easement on Lot 66, Block N, Quail Creek Section IV, 9206 Greenwich Meridian. (Requested by Mr. Tom Fears, Jr.)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution approving release of the following Easement:

A 10.0' Sanitary Sewer Easement located in Lot 14, Resubdivision of Lot 8, Block B, Rosewood Village Section II and a portion of Rosewood Village Section III, 1182 Graham Street. (Requested by Capital Land Title Company, representing Mr. Earl Forester)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution approving release of the following Easement:

A 10.0' Public Utility Easement on Lots 1 & 2, Balcones West Section III, 3710-3816 Spicewood Springs Road. (Requested by Danze and Davis Architects, Inc.)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution approving release of the following Easement:

55.0' of a 90.0' Electric Easement on Lot 3, St. Matthews Subdivision, 4501 Ridge Oak Drive. (Requested by Mr. Harvey Smith, representing Mr. John T. Neal)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution approving release of the following Easement:

A portion of a 5.0' Electric and Telephone Easement recorded in Volume 4955, Page 1806. (Requested by Metcalfe Engineers, representing Seton Medical Center)

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

WASTEWATER APPROACH MAIN

Councilmember Mullen moved that the Council adopt a resolution authorizing the following Wastewater Approach Main:

BILL MILBURN - Construction of an 8-inch wastewater approach main to serve Pheasant Run Subdivision. Estimated cost participation by the City will be \$18,020.00 if annexed within one year.

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

CONTRACTS APPROVED

Councilmember Mullen moved that the Council adopt a resolution approving the following contracts:

Bid Award: - Water and Wastewater Materials, Central Stores Division. Three month supply agreement Multiple progressive award from 1st low bidder to next high bidder, etc. Items 1-29 - Estimated total: \$11,500.00

AMERICAN UTILITY SUPPLY COMPANY
Route 1, Georgetown Industrial Park North
Georgetown, Texas

AUSTIN PIPE AND SUPPLY
300 Medina
Austin, Texas

ROHAN COMPANY
508-D East St. Elmo Road
Austin, Texas

TRANS-TEX SUPPLY COMPANY
4618 East 7th Street
Austin, Texas

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor
McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

3M COMPANY
3M Center, Building 223-3N
St. Paul, Minnesota

- Reflective Sheeting, Letters
and Emblems, Urban Transportation
Department
Twelve Month Supply Agreement
Items 1 thru 28 and 94 thru 109 -
\$49,548.61

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor
McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

VAN WATERS & ROGERS
6733 Silsbee
Houston, Texas

- Caustic Soda, Electric Utility
Department
Twelve Month Supply Agreement
Item 1 - \$69,798.00

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor
McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Councilmember Mullen moved that the Council adopt a resolution approving the following contracts:

Bid Award:

- Bolts, Nuts, Washers and Screws for various departments.
Six Month Supply Agreement
Item 1 thru 963 to be multiple progressive awards by line item to appropriate supplier based on 1st, 2nd and 3rd low bidder, etc.
Estimated grand total \$12,909.76

ALAMO IRON WORKS
Montana and Hoefgen
San Antonio, Texas

CAPITOL BOLT & SUPPLY, INC.
300 Nueces
Austin, Texas

K & N ELECTRONICS
4909 Rondo Drive
Ft. Worth, Texas

LAWSON PRODUCTS
902 Battle Bend Boulevard
Austin, Texas

LONGHORN BOLT & SCREW COMPANY
111 West Turbo
Austin, Texas

W. H. RICHARDSON COMPANY
3708 Woodbury
Austin, Texas

SCREW PRODUCTS CORPORATION
2609 Ross Avenue
Dallas, Texas

TEXAS BOLT & SCREW COMPANY
514 El Paso
San Antonio, Texas

TIFCO INDUSTRIES
2027 Northridge Drive
Austin, Texas

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

TEMPORARY STREET CLOSING

Councilmember Mullen moved that the Council adopt a resolution approving the temporary street closing of Brushy Street from 5th Street to Alley, between 5th and 6th Streets from approximately November 25, 1980 through December 9, 1980, 24 hours daily, as requested by Terry Nelson, representing Universal City Studios. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

ACT YOUR AGE

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of a grant application to the Hogg Foundation for \$342.75 and to the Texas Commission on The Arts for \$700.00 for the professional evaluation of the project entitled, "Act Your Age". The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

CONTRACT BETWEEN BRACKENRIDGE HOSPITAL
AND AUSTIN COMMUNITY COLLEGE

Councilmember Mullen moved that the Council adopt a resolution approving a contract between Brackenridge Hospital and Austin Community College for a Paramedic Technologist Program and EMT Program, at no cost to the City. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

SPEECH PATHOLOGY PROGRAM

Councilmember Mullen moved that the Council adopt a resolution approving an Affiliation Agreement between Brackenridge Hospital and C. Lynn Hays for a Speech Pathology Program. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

PARMER LANE AS FARM-TO-MARKET ROAD

Councilmember Mullen moved that the Council adopt a resolution authorizing an agreement with Travis County for the joint funding of a feasibility study for the development of Parmer Lane as a farm-to-market road. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

APPRAISAL DISTRICT

Councilmember Mullen moved that the Council adopt a resolution to enter into a contract with Travis County Appraisal District whereby the City agrees to perform all duties of the Appraisal Office for the Appraisal District with the City Tax Assessor-Collector being the Chief Appraiser and Chief Administrator of the Appraisal Office. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

PUBLIC HEARING SET

Councilmember Mullen moved that the Council set a public hearing for December 11, 1980 at 4:15 p.m. to consider an amendment to the Zoning Ordinance (Chapter 45 of the City Code) restricting construction of apartments in office districts. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

PARKING METER ZONES

Mayor McClellan introduced the following ordinance:

(This was passed as a resolution November 13, 1980)

The ordinance was read the first time, and Mayor Pro Tem Trevino moved that it be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau, Cooke

The Mayor announced that the ordinance had been passed through its first reading only.

Parking Meter Zones are as follows:

<u>METER TYPE</u>	<u>STREET</u>	<u>LOCATION</u>	<u>SIDE OF STREET</u>
60 Minute	West 10th Street	600	South
120 Minute	West 10th Street	600	North and south
120 Minute	West 11th Street	600	North and south
120 Minute	Nueces Street	1000	East and west

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 13,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 1304 WEST AVENUE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Mr. and Mrs. H. F. Voss, C14-80-015)

The ordinance was read the first time, and Mayor Pro Tem Trevino moved that it be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor
McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau, Cooke

The Mayor announced that the ordinance had been passed through its first reading only.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

AN APPROXIMATE 5.28 ACRES OF LAND, LOCALLY KNOWN AS 7700-7722 OLD CAMERON ROAD, 1500-1508 U.S. HIGHWAY 183 (EAST ANDERSON LANE), ALSO BOUNDED BY CAMERON ROAD, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.
(Don McElwreath, C14-77-133)

The ordinance was read the first time, and Mayor Pro Tem Trevino moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor
McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau, Cooke

The Mayor announced that the ordinance had been passed through its first reading only.

OPERATING BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1980-1981 BY TRANSFERRING \$270.00 FROM THE GENERAL FUND BALANCE TO THE BUDGET OF THE MUNICIPAL DEPARTMENT OPERATING BALANCE FOR THE PURPOSE OF FUNDING RELIEF JUDGES FOR THE CITY OF AUSTIN MUNICIPAL COURT; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

The ordinance was read the first time, and Mayor Pro Tem Trevino moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor
McClellan

Noes: None

Absent: Councilmembers Goodman, Himmelblau, Cooke

The Mayor announced that the ordinance had been passed through its first reading only.

AGENDA ITEM POSTPONED

Councilmember Mullen moved that the Council bring back the following resolution for consideration on November 13, 1980, during the consent motion on resolutions:

CAPITAL IMPROVEMENTS PROGRAM - Consider selection of Architectural Services in connection with the following:

- a. Old Main Library Renovations. C.I.P. No. 75/85-02
- b. St. John's Public Health Center. C.I.P. No. 76/91-05

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

RAINEY STREET STUDY

Mr. Dick Lillie, Director of Planning, presented the City Manager's Report on Development Alternatives for the Rainey Area by use of slides. The slides illustrated by maps Alternatives I, II, and III. The study, entitled "Development Alternatives for the Rainey Area," complete with maps, is on file in the City Clerk's Office.

BARTON CREEK WATERSHED DEVELOPMENT
ORDINANCE

Mayor McClellan opened the public hearing, scheduled for 9:45 a.m. on an amendment to the Barton Creek Watershed Development Ordinance relating to the implementation of a water quality monitoring program.

Dr. Maureen McReynolds, Director of Environmental Resource Management, appeared before Council and reported as follows:

"The Barton Creek Ordinance requires the City Council to design and implement a water quality monitoring program for the Barton Creek Watershed and the Edwards Aquifer Area which recharges Barton Springs within 180 days of the effective date of the Ordinance. That 180 day period ended October 16, 1980. There are currently several water quality monitoring programs that do monitor both the Barton Creek Watershed and the Edwards Aquifer. We are requesting that Council extend the deadline for designing and implementing any additional changes until we have had an opportunity to review that data more thoroughly and until the U.S. Geological Survey has completed their preliminary modeling work on the Edwards Aquifer. We feel that program will give us much more information about the shape of the Aquifer and their monitoring might need to supplement our existing program. Right now, they do have a very extensive program. They have 19 wells they will be sampling monthly and they have other

wells they will sample after storm events. There are several monitoring stations on the streams that recharge the Edwards Aquifer and all that data they are in the process of analyzing to come up with a ground water model for the area. That additional six month time frame would also allow us to work with the Edwards Aquifer Task Force when they get into later phases of their current work to get some feed back from them on where they think monitoring would be appropriate in that area."

JOE RIDDELL appeared and expressed disappointment that six months have passed since the Barton Creek Watershed Ordinance with no particular designed program implemented in accordance with the ordinance for monitoring water quality. He said they need to learn more about water quality from undeveloped areas, developed areas and areas that are developed with various kinds of control. He hopes not much more time goes by without a comprehensive plan being adopted. He asked for a three month extension instead of another six months and also asked Council to identify the money that is available for this program because I don't see how a program can be designed without knowledge of what kind of money there is.

Dr. McReynolds stated, "Currently, we have a program with the U.S. Geological Survey in which the total dollar value of that program is \$265,930.00 and the City's share is \$132,965. That program includes all the Edwards Aquifer work that they have undergoing this year and they will be coming in for contract renewal. They have been severely restricted in their matching share funds. The local members of the Geological Survey prevailed upon their district and region to continue to commit to the City of Austin the same amount of money that we had last year but they are taking across the board cuts in their budget of 15% so that is the maximum amount of money that they are going to be able to contribute to this program. If the City does come up with additional funds from other sources, they may be able to aid us with manpower and other kinds of assistance. I do not have any detailed information on the amount of money which the Health Department commits to their portion of the program for the sampling that they do, but again, that is part of their overall sampling program of Town Lake and the creeks that feed it."

Mayor McClellan said, "I would like to request that we get as much detail as possible and supply that to the Council, please."

Dr. McReynolds continued, "One of the things we did recognize in looking at this problem was the need to identify future sources of funding. We have learned that there may be some funding available through EPA in the next fiscal year, but not in this fiscal year."

Mayor McClellan suggested they may want to make a three-month check point.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 41A-123.2 OF CHAPTER 41A (SPECIAL REQUIREMENTS FOR SUBDIVISIONS IN ENVIRONMENTALLY SENSITIVE AREAS) OF THE AUSTIN CITY CODE OF 1967; PROVIDING FOR AN ADDITIONAL 90 DAYS FOR THE CITY COUNCIL TO DESIGN AND IMPLEMENT A WATER QUALITY MONITORING PROGRAM FOR THE BARTON CREEK WATERSHED AND EDWARDS AQUIFER RECHARGING BARTON SPRINGS; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Councilmember Mullen moved that it be passed to its second reading. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan

Noes: None

Absent: Councilmembers Himmelblau, Cooke, Goodman

The Mayor announced that the ordinance had been passed through its first reading only.

ZONING HEARINGS

Mayor McClellan announced Council would hear zoning cases scheduled for 10:00 a.m. Pursuant to published notice thereof, the following zoning cases were publicly heard:

MARY LOU SHIRER C14-80-168	8105 Mesa Drive 4216 Spicewood Springs Road	From "LR" Local Retail 1st Height and Area To "C" Commercial 1st Height and Area Amended to "GR" General Retail RECOMMENDED as amended by the Planning Commission
-------------------------------	---	---

Councilmember Mullen moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

WILMOT R. HORTON By Vincent Moyer C14-80-171	1501 West Avenue also bounded by West 15th Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area RECOMMENDED by the Planning Commission
--	---	--

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

TED WENDLANDT,
EDWARD WENDLANDT
By Tom Curtis
C14-80-172

4900-5108 Teri Road
also bounded by
Nuckles Crossing

From Interim "AA" Residence
1st Height and Area
To "A" Residence
1st Height and Area
RECOMMENDED as amended by the
Planning Commission

Councilmember Mullen moved that the Council grant "A" Residence, 1st Height and Area District, as amended, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District, as amended, and the City Attorney was instructed to draw the necessary ordinance to cover.

BALCONES WOODS
JOINT VENTURE
By Ray Wilkerson
C14-80-174

11150 Research Boulevard

From "GR" General Retail
1st Height and Area
To "GR" General Retail
2nd Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "GR" General Retail, 2nd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "GR" General Retail, 2nd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

PAUL AND MARIA
MELENDEZ MORELAND
HOUSE
By Austin Redeve-
lopment Authority
C14-80-175

1301 East 1st Street

From "C" Commercial
2nd Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

PAUL AND MARIA
MELENDEZ MORELAND
HOUSE
By Austin Redeve-
lopment Authority
C14h-80-024

1301 East 1st Street

From "C" Commercial
2nd Height and Area
To "A-H" Residence-Historic
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council accept finding of fact a, c, d, f, h, i, k, l, m, and grant "A-H" Residence-Historic, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "A-H" Residence-Historic, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

ALLIED DEVELOPMENT COMPANY
7011-C Manchaca Road
By Barry J. Smith
C14-80-178

From "GR" General Retail
1st Height and Area
To "C-1" Commercial
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "C-1" Commercial, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "C-1" Commercial, 1st Height and Area District, with the ordinance to be passed on first reading only.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1,632 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 6929-A MANCHACA ROAD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Allied Development Company, C14-80-178)

The ordinance was read the first time, and Councilmember Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the ordinance had been passed through its first reading only.

CITY OF AUSTIN
By Property
Management
C14-80-185

2000-2118 Old East
51st Street

From Undesignated
To "GR" General Retail
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "GR" General Retail, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "GR" General Retail, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MINOR ESTY WILSON
AND GEORGE HUME
COFER
C14-80-179

709 Henderson (rear)

From "B" Residence
2nd Height and Area
To "O" Office
1st Height and Area
RECOMMENDED by the Planning
Commission

Councilmember Mullen moved that the Council grant "O" Office, 1st Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

MEDICAL SCIENCE
PARKING, INC.
By Henderson
Buford, III
C14-80-176

3707-3721 King Street
3702-3708 Ronson
625-635 West 38th Street

From "A" Residence
1st Height and Area
To "O" Office
2nd Height and Area
RECOMMENDED "O" Office, 2nd
Height and Area, but limit
building to 35 feet (1st
Height and Area) by Planning
Commission

Mayor Pro Tem Trevino moved that the Council grant "O" Office, 2nd Height and Area District, but limit building to 35 feet (1st Height and Area), as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmember Mullen

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "O" Office, 2nd Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 2, 3, 4, AND 5, BLOCK 4, BUDDINGTON SUBDIVISION, LOCALLY KNOWN AS 3707-3721 KING STREET, 3702-3708 RONSON AND 625-635 WEST 38TH STREET, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, SECOND HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Medical Science Parking, Inc., C14-80-176)

The ordinance was read the first time, and Mayor Pro Tem Trevino moved that it be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmember Mullen

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the ordinance had been passed through its first reading only.

GENE THORNTON, TRUSTEE By FSA Properties Celesta Cullen C14-80-182	5715-5823 East Ben White Boulevard 3412-3418 Montopolis 3512-3518 Montopolis and 5706 Burleson Road	From Interim "AA" Residence 1st Height and Area To "DL" Light Industrial 1st Height and Area RECOMMENDED by the Planning Commission "DL" Light Indust- rial, 1st Height and Area but tied to site plan and restrictive covenant tracking language in P.D.A. as offered by applicant.
--	---	--

Mayor Pro Tem Trevino moved that the Council grant "DL" Light Industrial, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
 Councilmember Mullen
 Noes: None
 Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "DL" Light Industrial, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

JAMES HUGHES By Larry Peel C14-80-055	Neely Drive and Spicewood Springs Road	From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area RECOMMENDED "O" Office, 1st Height and Area, restricted to office uses only (part), by the Planning Commission
---	---	--

Mayor Pro Tem Trevino moved that the Council grant "O" Office, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
 Councilmember Mullen
 Noes: None
 Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "O" Office, 1st Height and Area, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

EDWARD JOSEPH,
TRUSTEE
By Bert Pence
C14-80-153

1200 East Anderson Lane

From Interim "A" Residence
1st Height and Area
To "C" Commercial
1st Height and Area
RECOMMENDED (as amended) by the
Planning Commission subject to
site plan submitted

Mayor Pro Tem Trevino moved that the Council grant "C" Commercial, 1st Height and Area District, as amended, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmember Mullen
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "C" Commercial, 1st Height and Area District, as amended, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
A 7.365 ACRE TRACT OF LAND, LOCALLY KNOWN AS 1200 EAST ANDERSON LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT, SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Edward Joseph, Trustee, C14-80-153)

The ordinance was read the first time, and Mayor Pro Tem Trevino moved that it be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmember Mullen
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the ordinance had been passed through its first reading only.

WAYNE LAYMON
By Tom Crider
C14-80-152

11844 Research Boulevard
11907 Bell Avenue

From Interim "AA" Residence
1st Height and Area
To "GR" General Retail and
"O" Office
1st Height and Area
NOT Recommended

RECOMMENDED by the Planning Commission
"GR" General Retail for building, "LR"
Local Retail for sign, and "O" Office on
balance, tied to a site plan and 183
study.

Councilmember Snell moved that the Council grant "GR" General Retail on the building, "LR" Local Retail for sign, and "O" Office on the balance, 1st Height and Area District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Mullen, Snell, Mayor Pro
Tem Trevino

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "GR" General Retail on the building, "LR" Local Retail for the sign, and "O" Office on the balance, 1st Height and Area District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ALL SAINTS CHAPEL
By Norman Barker
C14h-80-022

2629 Whitis Avenue

From "B" Residence
3rd Height and Area
To "B-H" Residence-Historic
3rd Height and Area
RECOMMENDED by the Planning
Commission

Mayor Pro Tem Trevino moved that the Council accept finding of fact a, b, c, d, f, h, k, l, m and grant "B-H" Residence-Historic, 3rd Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "B-H" Residence-Historic, 3rd Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

RANDERSON-LUNDELL
BUILDING
By City of Austin
C14h-80-023

701 East 6th Street

From "C-2" Commercial
4th Height and Area
To "C-2-H" Commercial-Historic
4th Height and Area
RECOMMENDED by the Planning
Commission

Mayor Pro Tem Trevino moved that the Council accept finding of fact a, b, f, h, i, k, l, and m, and grant "C-2-H" Commercial-Historic, 4th Height and Area District, as recommended by the Planning Commission. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "C-2-H" Commercial-Historic, 4th Height and Area District, and the City Attorney was instructed to draw the necessary ordinance to cover.

NORTHCROSS
ASSOCIATES, LTD.,
SAM E. DUNNAM,
GENERAL PARTNER
By James Amis,
Urban
Associates, Inc.
C14-80-158

7730, 7714 and 7696
Northcross Drive

From Interim "A" Residence
and "GR" General Retail
1st Height and Area
To "O" Office and
"A" Residence
RECOMMENDED by the Planning
Commission in accordance with
site plan subject to restric-
tive covenants.

Mr. Lillie, Director of Planning, reviewed the application by use of slides.

MR. JAMES AMIS, representing the applicant, showed slides of the area and pointed out that they plan to erect three buildings with 240 parking spaces. There will be landscaping and a buffer. He said they have met with the Allandale neighbors and as a result, some of the plans have been shifted. They agree to the restrictive covenant of a site plan and restrict office use.

MR. LYDELL appeared to submit a petition to Council protesting the zoning change. The petition needed to be checked by the Planning Department because there were only four Councilmembers present, and if the petition is valid, it would take six votes of the Council to grant the zoning change. Mayor McClellan said this case would be concluded in the afternoon after there was time to check the petition's validity.

Later in the day, during the recessed afternoon session, Mr. Lillie stated the petition had been checked, and it was found that only a simple majority was needed to uphold the Planning Commission, because it was not a valid petition.

Mr. Lydell stated to Council that the zoning would devalue his property and that the parking would cause congestion. He also thought the flood plain would be altered.

MR. DAVID TISINGER appeared and asked that his testimony be sworn in. Mrs. Grace Monroe, City Clerk, did so. Mr. Tisinger then spoke as follows:

"The Planning Commission okayed what we said below and said our request that what we're asking for be enforced by restrictive covenants suited them. I hope it will suit the Council and that was one of the main things we sought was to limit the occupancy to office use only, apartment houses, prohibit access from subject property to Silverway Drive, limit height of buildings to two stories, prevent parking to the west of the buildings, b and c, and limit lighting in parking areas to the types that will not reflect to the adjoining property and that the owner should provide security protection. We asked and this was not granted that the west 50 feet of the subject property lying to the north of a prolongation of the northerly boundary of Silverway Drive should be zoned "A" residential. When my wife bought the property (muffled) that the buffer was 125 feet. Now, here we're asking only for 50 feet. Now, and we asked for 50 down before the Planning Commission and we asked that it be limited to 50 feet and that it be so restricted by restrictive covenant. Now why is it important? It's important because if you look at the maps of the applicants, Silverway Drive runs into their property from the west. If you would extend the northern boundary line of Silverway Drive northerly along the creek and west boundary of the (muffled) property, you would create a buffer of 50 feet. What's wrong with that, we don't know what's wrong with that and I want to tell you, please, something that's good and behind it. Please look at those sketched trees they have there. Now I have talked to Mr. Amis about this. He is a fellow A & M man and we get along just fine, but this is one place where he and I are in much disagreement and Mr. Amis has said that we're correct that the buffer will be approximately 50 feet, but that he doesn't want to put it in the writing, because he hasn't got it defined yet. He hasn't got it put on paper yet, and that's what we're saying, it ought to be put on paper. You can't borrow money on property unless you put on paper what you're talking about. If you're going to borrow money on a building or if you are going to sell a building, you got to describe the building, and we're saying here they have not described what they are talking about so anybody can identify it, and the importance of it is, and I went out there this morning with Mr. Hanna of Espey Huston, who's made the survey for these applicants, and he said that my wife's back property line is the same as the property line of the applicants, and you see that little sketch of trees they've got there, that's their property line right behind there and what's on these trees, please ma'am, members of the Council, is not level land, it is a precipice, it's a (muffled) and it's about 10 or 20 feet deep and they can't get trees in there anymore than they can fly. They just haven't thought about what they are doing. They haven't put it on paper, and I object to it."

Mayor McClellan said, "If I understand your presentation correctly, you're not objecting to the zoning request, you are asking for certain restrictive covenants. The 50 feet you said you had agreement. If you would speak to that."

Mr. Tisinger said, "I didn't say he agreed, but he said we were substantially correct. He doesn't want to put it in writing. That's the reason I'm here." Mayor McClellan said she wanted to know if there was agreement or disagreement. Mr. Tisinger said, "I've quoted him. That's the reason I wanted to get under oath. I've quoted him, but he has said he's got to define it better, he's got to design it better, and I'm saying you can't sell my wife's homestead on it until you do a design."

Mr. Amis appeared and said, "In specific answer to Mr. Tisinger's question, we did agree to a restrictive covenant which incorporated this site plan, which, from what I could see sitting in the audience is not the site plan presented to you. We did make corrections as a result of meetings with the neighborhood, which if you will note carefully, eliminated the roadway between the buildings and increased the open space and so forth. ... The site plan was modified to shift this building 15 feet away and increase the open space, eliminate the roadway between (muffled) at the closest point approximately 43 feet which is right here, away from the property line. The property line is not in the alignment of the trees. The property line is in the middle of the bottom of the creek. The trees are sitting back on higher trees. This line of trees is effectively the line of the 100-year flood plain so that is why we delineated it there, so you can have a graphic example. Parking and all the development is outside the 100-year flood plain. We will be very happy to submit this site plan which has been presented to the Planning Department and can be verified on further development as a restrictive covenant. At an early design stage it is very difficult as many of you know to go in feet and inches specifically. This is what we will do and this is what was presented. So with respect to Mr. Tisinger's point in that regard, I think we have tried to do our very best to accommodate their concerns and put the development as far away from their boundaries as possible. As we go west, we increase that distance as you can see."

RICK WHEELER, registered Engineer with the firm of Espey, Huston and Associates, said they have been the engineer of other projects in the area and the plans they developed at that time reduced the level of the 100-year flood plain upstream from the channel improvements. He said this was in accordance with the waterway development permit, based on flood plain studies that had been developed in 1975-76 by the City as the best data available. He said their engineering design will provide for the detention and outfall facility that will control the run off from that property and will in no way alter the volume of water which is now currently flowing through the tributary to Shoal Creek.

Mayor McClellan stated, "For the Record you are willing to submit that site plan and that addresses the concern of Mr. Tisinger as a restrictive covenant." Mr. Amis said they agreed to that in the Planning Commission.

Councilmember Mullen moved that the Council grant "O" Office and "A" Residence District, subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Mullen, Snell, Mayor Pro
Tem Trevino

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

The Mayor announced that the change had been granted to "O" Office and "A" Residence District, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONING CASES POSTPONED

Council postponed the following zoning cases:

JOHN LOUGHLIN AND PERRY LORENZ By Perry Lorenz C14-80-180	4907 Red Bluff	From "A" Residence 1st Height and Area To "D" Industrial 1st Height and Area NOT Recommended RECOMMENDED "DL" Light Industrial, 1st Height and Area
---	----------------	--

Councilmember Snell moved that the Council postpone the above zoning case to December 4, 1980 at 9:45 a.m. The motion, seconded by Mayor McClellan, carried by acclamation.

MANUEL TABOADA C14-80-177	1816 Waterston Avenue	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area NOT Recommended
------------------------------	-----------------------	---

Mr. Lillie reviewed the application by use of slides.

MR. TABOADA appeared and said he opposed the Planning Commission's recommendation. He said the only thing he can do with the property is build a fourplex. He said the present structure is almost completely rotted out and it would be too costly to repair or to build a single-family dwelling. He said there are apartment buildings next door to the property and there is a great need in the area for lower rent places.

Councilmember Snell said he is not in favor of changing the zoning in the area and thought the case should be postponed until a full Council is present.

GARY RADDEN appeared. He is the former owner of the property and said "B" Residence zoning has been in the neighborhood for years. He said the property surrounding the property in question is non-residential and the proposed usage of the property will not do anything to harm Clarksville.

Mayor Pro Tem Trevino moved that the Council postpone the zoning case to December 4, 1980 at 2:15 p.m. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino, Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Mullen

PENDING ZONING CASES

ROMAMI COMPANY
By George Butler
C14-76-110

505-519 Radam Lane

From "A" Residence
1st Height and Area
TO "B" Residence
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Snell moved that the Council uphold the recommendation of the Planning Commission and DISMISS the zoning case. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

PHILLIP DEMING
By Tom Russo
C14-79-277

2704 Wheless Lane

From "A" Residence
1st Height and Area
To "BB" Residence
1st Height and Area
RECOMMENDED DISMISSAL by the
Planning Commission

Councilmember Snell moved that the Council uphold the recommendation of the Planning Commission and DISMISS the zoning case. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

JOHN G. TREVINO
By Donald Bird
C14-79-289

7300-7400 East Ben
White Boulevard

From Interim "AA" Residence
1st Height and Area
To "C" Commercial and "C-2"
Commercial, 1st Height and
Area
RECOMMENDED EXTENSION by the
Planning Commission

Mayor Pro Tem Trevino said he wanted the record to reflect the fact that his is not related to John G. Trevino of this zoning application.

Councilmember Snell moved that the Council EXTEND the zoning case, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

<p>Theron Bradford, Trustee By Phil Mockford C14-80-020</p>	<p>Spicewood Springs Road</p>	<p>From Interim "A" Residence 1st Height and Area To "O" Office 1st Height and Area RECOMMENDED EXTENSION by the Planning Department</p>
---	-------------------------------	--

Councilmember Snell moved that the Council EXTEND the zoning case, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

<p>North Austin State Bank By Robert L. Davis C14-80-027</p>	<p>7600 Burnet Road also bounded by Northcross Drive</p>	<p>From "GR" General Retail 1st and 3rd Height and Area To "GR" General Retail 3rd Height and Area RECOMMENDED EXTENSION by the Planning Department</p>
--	--	---

Councilmember Snell moved that the Council EXTEND the zoning case, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor Pro Tem Trevino,
Mayor McClellan
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

SOUTHWEST TRAVIS COUNTY MUD

Council had before it for consideration a resolution consenting to the creation of Southwest Travis County Municipal Utility District No. 1 and approving an agreement concerning the creation of the MUD.

MR. DAVID ELLIS, resident of the Shady Hollow Homeowners Association, stated he is the Association's representative on development affairs and addressed Council as follows: "We're not here in opposition but for the purpose of clarification of two points and we have optimistic reasons for believing

that this matter can be cleared up with the cooperation of the Council. Our problem is that we are all faced with something that is a new experience to us. It is new to the Council and that is the creation of a MUD (Municipal Utility District). Our association came into being because of some differences with a predecessor developer and we live in an environmentally sensitive area between Bear Creek and Slaughter Creek. The proposed facilities for sewage collection and sewage treatment are pertinent to this. I'd like to say that when the plat for the development of Shady Hollow was presented to the Planning Commission we were able to come and support that and the developer was admonished at that time to proceed in the development of Shady Hollow in consort with us because we had agreed to things in our contract to the advantage to the developer particularly with respect to sewage treatment and the sewage lines. So this was your Planning Commission which did this and it's a matter of record and our contract which you have before you is a part of the approval of that plat out there in the development.

"I want to say our relationships with the developer since that time could not have been better, except with respect to this MUD, which is a new thing and with the understandable slippages, we have really not been brought into it to the extent our contract contemplates. We did have a briefing that did acquaint us with the process up to that point. They did agree to correct some misinformation on some of the documents that the City has, one of which says we've approved the creation of this MUD which our association hasn't done, but if certain actions are taken here today, we will certainly be prepared to recommend our association. We are not just talking to people who live here now because the MUD will not effect us, but the people who come into the new sections will be compulsory members of our association, so we have to come to you because we are in your ETJ (Extraterritorial Jurisdiction) and speak in behalf of those people to insure they have a viable system, financially sound and that they are not burdened with an unnecessary financial obligations which has happened in other MUD's in this area. This is your first one here, and you don't want it this way and we have a responsibility also to see that this does not happen.

"In Section 8 of our contract the developer agreed and this was one of the big problems we had in the contract, that they would build sewage collection and treatment facilities to your standards and they have done this and done it well. The MUD thing is a new problem and we don't want it to be a problem. We don't want to delay what they are doing because they are selling houses there already. ... They agreed in a meeting that they would keep us abreast of everything and go so far as to have a member of our community on the MUD board. This is probably the only contract in the state between an association of homeowners and a developer and it has worked and worked good. We want it to continue that way. There is some concern the MUD might be mismanaged or there might be bad problems which will effect the quality of the life of the homeowners because the section where they are building now is over the Edwards Aquifer and it extends down into the recharge zone of the Edwards Aquifer. We all want it done right. There is another section which concerns us. It has to do with the fact that as compensation to the present owners, the developer agreed to build us an amenity package with a swimming pool and dedicate this as a park and a swimming pool to us. As soon as enough people were living there and be able to pay for operation of it.

"The papers which the City has been working on may be interpreted to mean that in some kind of a bonding arrangement our park system can be made a part of the MUD. We don't think this should or can be done, but we also don't want to get into a legal problem over this and we hope the developer will agree to two points:

1. That as our contract contemplated it should be made a part of any agreement that the City enters into with a developer for the creation and development of a MUD so that we are protected on into the future from misadventures, financial or mechanical or whatever and that is done without an undue financial obligation on the new future residents of the area.
2. They will tell the City Council that whatever inferences there may be to the inclusion of our park facilities in the MUD, that was not their intent and they will follow all of this up after the agreement here with you with a letter to our association agreeing to the incorporation of our contract in the agreement the City makes with the developer for the creation of the MUD and exclude our park facilities from inclusion in any MUD."

DON WALDEN, representing Cornerstone Development which manages the development of Shady Hollow for University Savings, which is the developer. "We have entered into an extensive written agreement with the Shady Hollow Homeowner's Association concerning many matters involving the development of Shady Hollow. Mr. Ellis has covered two of those points. The agreement has been filed with the Planning Commission in December of 1978 and I would ask the City Council today to just go ahead and accept that development agreement as part of the submittal for filing under the application for the creation of a MUD. The second point, it has never been contemplated that the park that will be developed would be bond financed. It will be financed entirely by the developer with no recapture and ownership of that park will be turned over to the Shady Hollow Homeowners Association when University Savings determines there is adequate cash flow through membership to support the operation and maintenance of the park in a proper manner. It will not be owned by a district if a district is created. That includes the swimming pool, tennis courts, etc."

Councilmember Snell asked if there will be any restrictions in the use of the park once it is created. Mr. Walden said the only restriction is there are 229 existing houses in Shady Hollow and membership to that park is voluntary for those 229 people. If a homeowner does not want to join the park membership category, they cannot use that park. Mr. Ellis said those who live there now have an option to join or not join. The new residents must join.

DENNIS BAUERLE, member of Homeowners Association, said his concern is that University Savings and the developer agreed to build and maintain, operate and take care of the sewage treatment plant to the utmost of their ability. One exception was if it is taken over by a governmental entity or a political subdivision which in fact, when we agreed to that we didn't know exactly what that meant, but as Mr. Ellis said, they have fulfilled their agreement to this time...it's just that there are some things in there we want to be sure are protected in the future such as maintenance, the liability factor in case the MUD has problems in a year or two and other things. We want to be sure our previous contract with them is on record, so it will be a part of the MUD contract you agreed to."

Councilmember Mullen wondered if this is legal. Mr. Bauerle said if it is not legal, they will be agreeable to furnishing a separate letter of agreement, and "we will file that for record." Mayor McClellan said, "We'll let the record reflect that."

Mr. Ellis said, "Since this is the first time you have done this, the State requires copies of all contracts like this be filed for the approval of MUD's...anything that has a bearing on it. We think this has a bearing on it and that is why we think it is pertinent to bring this to your attention and ask that it be incorporated in this first approval. If they can agree to this today, fine. If not we don't want this to become a legal problem. What we want is some kind of a legal obligation to continue their current obligation to protect us. This is all we are asking for."

Mr. Albert DeLaRosa said that the contract he has looked at is between the Homeowners Association and Austin Savings, which University Savings has now taken over. This document, the development agreement, is in no way superseded by what Council action today is. So this contract still goes into effect, and Mr. Walden is saying he will be happy to furnish a letter to Council that will include that as a part of the package, but there really is no need to as it continues in effect. Mr. Ellis said the efficient operation of a MUD in the future which will be handled by five people would certainly be encumbered if everything they had to do in the future they had to come back to an association, which might number thousands of people and get new board members unfamiliar with it. "Those of us here today all signed that contract and understand it and those people do, too."

Mayor McClellan stated, "Let the record reflect that our approval today is contingent upon the fact that you will submit to them a subsequent letter addressing the points we have just been discussing. Let that be part of the permanent file and record."

Councilmember Mullen moved that the Council adopt a resolution consenting to the creation of Southwest Travis Council Municipal Utility District No. 1 and approving an agreement concerning the creation of the Municipal Utility District. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor Pro Tem Trevino, Mayor McClellan, Councilmembers
Mullen, Snell
Noes: None
Absent: Councilmembers Cooke, Goodman, Himmelblau

OVERSIZE WATER MAIN

Councilmember Mullen moved that the Council adopt a resolution authorizing the following oversize water main:

BILL MILBURN - Construction of a 16-inch water main
in Maple, Run, Section Two \$67,200.
City cost participation will be
\$40,068.00

The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmember Snell, Mayor Pro Tem Trevino, Mayor McClellan,
Councilmember Mullen

Noes: None

Absent: Councilmembers Cooke, Goodman, Himmelblau

Prior to the vote, JOE RIDDELL appeared before Council and said this proposal is an abuse of the City's oversize policy, and that Bill Milburn is the only one who will profit from the subsidy. He said a comprehensive plan is needed for the area and not just piecemeal.

Mayor McClellan asked Mr. Bulloch to address the procedure and staff recommendation. Mr. Bulloch replied, "This is based on an analysis of the entire subdivision of Maple Run. When Mr. Milburn came in several months ago with the request for an approach main for Maple Run, Section II to tie into the system, he got administrative approval to tie into an 8" water line on Brodie Lane. Subsequent analysis by the staff revealed that 12" line that was approved administratively to tie in the first section of Maple Run, Section II, would not provide adequate water pressure if the entirety of Maple Run were to be built out. We've required as a part of his finalizing his construction plans for placing utilities in this section that he come with a 16" water line. The decision whether or not the other sections of Maple Run will be platted, remains to be seen, but if they are, there is a 16" line that needs to be run through the entire subdivision. The basis of the 16" line is based on the capacity analysis for the entirety of Maple Run."

Councilmember Mullen said it looks like the problem might be not just this subdivision, but maybe there is a problem with the policy that anything over 8" the City picks up, whether it's in one subdivision or not. Mr. Bulloch said that irrespective of the work that's being done based on Council request back in April on cost participation policies in water and wastewater, this is an administrative interpretation of existing Council policy. He said, "We will be posting next week a rules change according to existing ordinances, and we will start the process to change that administrative interpretation to deal with oversize lines under existing Council policy on a capacity basis as opposed to a line size basis, so hopefully, we will proceed expeditiously on that. It is our fault for not proceeding to make that administrative change." Councilmember Mullen stated, "I feel that when you set up rules and regulations and people follow them, then you need to follow them on through until they are changed, and if people proceeded on that basis, then we should go on and approve it."

RECESS

Council recessed its meeting at 11:25 a.m. and resumed its recessed meeting at 1:55 p.m.

TRAFFIC LANE EXPERIMENT
PROPOSED

MR. RON WILLIAMS, President, MB Highway Enterprises, Inc., appeared before Council to make a presentation of a proposal to perform downtown traffic lane experiment.

MR. KENNETH BALCHUNAS, consulting civil engineer, MB Highway Enterprises, Inc., also made a presentation concerning downtown traffic lane experiment.

CHRISTMAS TREE PERMIT

Mayor Pro Tem Trevino moved that the Council approve the request of MR. BILL BROPHY, representing Manchaca Optimist Club, for permission to use part of Garrison Park to sell Christmas trees from November 20, 1980 to December 25, 1980. The motion, seconded by Mayor McClellan, carried by unanimous vote, with Councilmembers Cooke, Goodman, Himmelblau absent.

CONGRESS AVENUE PROJECT

MR. ROBB SOUTHERLAND appeared before Council to discuss the Congress Avenue Project. He showed the Council petitions containing 31,000 signatures, which he will turn in to the City Clerk's Office on November 7, 1980. He said 18,700 signatures must be validated by the Clerk's office in order to hold an election to determine how the citizens of Austin feel about the Congress Avenue Project. Because of the petitions, Mr. Southerland requested Council to reconsider their decision to turn the six lanes of Congress Avenue into four lanes and to suspend activities of the bidding and contract on the project until the outcome of the referendum is determined. Mr. Southerland said he is prepared to use every legal way to protect the rights of the people to vote before the project begins.

APPEAL RESET

Councilmember Snell moved that the Council approve the request of MR. LARRY GUILLOT, and reschedule a public hearing on an appeal of the Building Standards Commission's decision permitting the relocation of a structure from 9403 Dessau Road to 3002 Breeze Terrace previously scheduled for 7:00 p.m., Thursday, November 13, 1980 to December 11, 1980 at 6:00 p.m. The motion, seconded by Mayor McClellan, carried by a unanimous vote, Councilmembers Cooke, Goodman, Himmelblau absent.

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for public hearing before City Council on December 4, 1980:

PILGRIM REST BAPTIST CHURCH By Rev. J. M. Miles C14-80-183	2400 East 11th Street also bounded by Swenson Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
MARK GARFINKEL AND GREG DUNN C14-80-184	819-821 East 53rd Street 5204-5206 Depew Avenue	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
G. E. HYDEN ESTATE By Sammy Dixon C14-80-186	1125 Springdale Road	From "C" Commercial 1st Height and Area To "C-2" Commercial 1st Height and Area
M. K. PARSONS C14-80-187	10111 Selma 11100-11102 Plains Terrace	From "A" Residence 1st Height and Area To "LR" Local Retail 1st Height and Area
MARION O. SHIRK AND MRS. ELMER O. SAKEWITZ By M. K. Parsons C14-80-188	524-610 Wonsley also bounded by East Powell Lane	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
COMMERCE PARK ASSOCIATES, LTD. By Colman Corser C14-80-189	600 Nelray	From "O" Office 1st Height and Area To "GR" General Retail 1st Height and Area
JACK N. PRICE By John Meinrath C14-80-190	501 West 38th Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
WALTER SANKEY, JR. By Al Atwell C14-80-191	312 Radam Lane	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
WILLIAM B. COTTON By Deborah James C14-80-192	4104-3906 Ed Bluestein Boulevard	From "C" Commercial 1st Height and Area To "DL" Light Industrial 2nd Height and Area

CALHOUN-SMITH DISTR. CO., INC. By Al Stover C14-80-193	12440-12454 Research Boulevard 12005-12009 Oak Knoll Drive	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
WAYNE DAYTON, purchase from JOHN H. CRUTCHFIELD, TRUSTEE By Craig Farmer C14-80-194	6804-6812 South IH 35	From "C" Commercial 1st Height and Area To "C-2" Commercial 1st Height and Area
CAMERON ROAD CHURCH OF CHRIST By Jeryl D. Hart C14-80-195	6008-6010 Cameron Road	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
A.P.C. INDUSTRIES, INC. By Jeryl Hart Eng. Inc. C14-80-196	13781-13795 U.S. Highway 183	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
BARTON MARKET SQUARE, INC. C14-80-197	4017 Victory Drive	From "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
MARY ALICE LUDWIG C14-80-198	5251-5501 U.S. 183	From Interim "A" Residence 1st Height and Area To "DL" Light Industrial and "O" Office 1st Height and Area
JOHN E. MILLER, RICHARD W. MILLER AND CLARENCE E. MILLER C14-80-199	5501-3901 U.S. 183 (Ed Bluestein Boulevard) 5650-5800 Patterson Road (also known as Johnny Morris Road)	From Interim "A" Residence 1st Height and Area To "DL" Light Industrial 1st Height and Area
MAE CROCKETT ESTATE By Byram Properties, Garland Evans C14-80-200	300-328 South Congress 101-309 Barton Springs 114 and 200-304 West Riverside Drive	From "C-2" Commercial 2nd Height and Area To "C-2" Commercial 3rd Height and Area
LENA M. SCHWARZER By John Ewald and James L. McMurtry C14-80-201	816 West 10th Street	From "B" Residence 1st Height and Area To "O" Office 1st Height and Area

CITY OF AUSTIN
By Bill Richardson
C14-80-202

5708-6000 block
Balcones Drive

From Interim "A" Residence
1st Height and Area
To "O" Office
1st Height and Area

CITY OF AUSTIN
PLANNING DEPARTMENT
C14-80-043

TRACT 1
6016-6018 Westgate
Boulevard
6010 and 6106 London
Drive
3002 Headly Drive

From Interim "A" Residence
1st Height and Area
To "AA" Residence, "A"
Residence and "A-2" Resi-
dence 1st Height and Area

TRACT 2
5908-6008 Westgate Boulevard

TRACT 3
5700-5902 Westgate Boulevard
5601 Cherry Creek Drive

TRACT 4
5604-5630 Westgate Boulevard
5600 Cherry Creek Drive

TRACT 5
5701-5903 Westgate Boulevard
2601-2619 Stassney Lane

TRACT 6
6200-6212 Buffalo Pass

TRACT 7
6614-6804 Manchaca Road

CITY OF AUSTIN
PLANNING DEPARTMENT
C14-80-115

All of the following
streets: Craigwood
Drive, Little Hill
Circle, Sherwyn Drive,
Huntleigh Way, Craig-
wood Circle, Regency
Drive, Regency Cove,
Provencial Drive, Provencial
Cove, King Charles Drive,
Parliament Drive, Parliament
Cove, King Henry Drive,
Duchess Drive, also bounded
by Ed Bluestein Boulevard
(U.S. 183), M.L.K., Jr.
Boulevard (FM 969) and M.K.T.
Railroad

From Interim "A" and Interim
"AA" Residence, 1st Height
and Area
To "A" Residence and "AA"
Residence, 1st Height and
Area

DON NEUENSCHWANDER
By Larry W. Landley
C14-80-148

2906-2912 West Avenue

From "BB" Residence
1st Height and Area
To "B" Residence
1st Height and Area

THE SETTLEMENT By Allan Nutt C14-80-162	508 Powell 1513 West 6th Street	From "O" Office 2nd Height and Area To "LR" Local Retail 1st Height and Area
ROGERS D. WILSON By Homer Reed C14-80-173	7404 Geneva Drive	From "A" Residence 1st Height and Area To "B" Residence 1st Height and Area
ALLANDALE BAPTIST CHURCH, INC. By Pike Powers C14-80-181	2600-2700 Northland Drive 5700-5802 Nasco Drive 2601-2615 Allandale Road	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
SCARBROUGH HOUSE By Mary Margaret Albright C14h-78-037	1801 West Avenue	From "B" Residence 2nd Height and Area To "B-H" Residence-Historic 2nd Height and Area
JAMES R. JOHNSON HOUSE By Robert Wall C14h-80-025	1412 West 6-1/2 Street (also known as 611 Highland Avenue)	From "A" Residence 1st Height and Area To "A-H" Residence-Historic 1st Height and Area
GEORGE W. SAMPSON HOUSE By George S. Nalle, Sr. C14h-80-026	1003 Rio Grande	From "C" Commercial 4th Height and Area To "C-H" Commercial-Historic 4th Height and Area
GILFILLAN HOUSE By Bell, Klein and Hoffman C14h-80-027	603 West 8th Street	From "O" Office 2nd Height and Area To "O-H" Office-Historic 2nd Height and Area
COMMISSION-GENERAL PROVISIONS BUILDING By Terry Boothe C14h-80-028	501-503 East Sixth Street	From "C-2" Commercial 4th Height and Area To "C-2-H" Commercial-Historic 4th Height and Area
H. B. HANCOCK HOUSE By Mary Margaret Albright C14h-80-029	1717 West Avenue	From "O" Office 2nd Height and Area To "O-H" Office-Historic 2nd Height and Area

SOUTH AUSTIN CHURCH OF THE NAZARENE By Randall Wyles C14-80-036	6711-6713 Manchaca Road	Amendment of Restrictive Covenant
PILOT LIFE INSURANCE COMPANY By Richard E. Kammerman C14-76-090	903 West 38th Street	Amendment of Restrictive Covenant
LUMBERMEN'S INVEST- MENT CORPORATION By Robert Davis C14-73-228	7000 Decker Lane 8100 Loyola Lane 8000 Loyola Lane 7900 Loyola Lane	Deletion of Subdivision Requirement

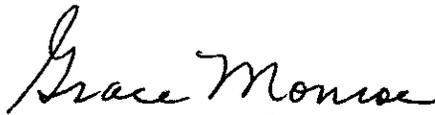
ADJOURNMENT

Council adjourned its meeting at 2:45 p.m.

APPROVED


Mayor

ATTEST:



City Clerk